

Appeal Decision

Site visit made on 20 January 2017

by S Poole BA(Hons) DipArch MPhil MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 8 February 2017

Appeal Ref: APP/M3835/D/16/3162666

35 Shakespeare Road, Worthing, BN11 4AS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Morgan Harper-Brown against the decision of Worthing Borough Council.
 - The application Ref AWD/0942/16, dated 17 June 2016, was refused by notice dated 17 August 2016.
 - The development proposed is described as "the creation of new permeable hard standing within front garden; widening of front gate to allow car access and dropped kerb. Boundary wall to be partly demolished and pillar to be repositioned".
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:
 - (i) whether the proposal would preserve or enhance the character or appearance of the Shakespeare Road Conservation Area; and
 - (ii) the effect of the proposal on highway safety, with particular regard to pedestrians.

Reasons

Character and appearance

3. The appeal property is a semi-detached house which is situated in a residential street comprising handsome Edwardian properties of similar age and appearance. It forms part of a group of houses that have front boundary walls formed of brick and flint. These front boundaries are an important constituent of the character and appearance of the Conservation Area, a matter to which I attach significant weight.
 4. Like its immediate neighbours, the appeal property has 2 narrow openings in the front boundary wall for pedestrian access. As such the frontage predominately comprises a wall. The proposal would include the widening of one opening to allow vehicular access into the front garden. As a consequence of this the proportion of wall would be reduced to less than half of the frontage resulting in a front garden that is far more open to the road than neighbouring
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properties. In my judgement this openness, combined with the loss of historic fabric, would be detrimental to the street scene.

5. For these reasons the proposal fails to preserve the character and appearance of the Conservation Area. It is therefore contrary to Policy 16 of the Worthing Core Strategy (2011) which states that landscape features and buildings which represent the historic character of Worthing should be maintained. The proposal is also contrary to one of the core principles of the National Planning Policy Framework (2012) which is to conserve heritage assets in a manner appropriate to their significance.
6. I note that there are a number of vehicular openings in front boundaries along Shakespeare Road. On the whole these openings are within wide frontages and therefore boundary walls remain the predominant feature. Similarly the information before me indicates that the scheme at 200 Heene Road (appeal ref: APP/M3835/D/15/3023057) involved an opening in a wider frontage than that at the appeal property. As each planning application and appeal needs to be considered on its individual merits, having regard to the site's particular characteristics and in the context of current planning policy, I attribute limited weight to other openings formed in frontages elsewhere.

Highway Safety

7. Drivers of vehicles leaving the appeal site would have limited visibility of the street and pavement due to the retained portion of boundary wall and the side boundary shared with 33 Shakespeare Road. As noted in *Manual for Street 2* this will encourage drivers to emerge slowly and cautiously from the appeal site. In addition vehicles leaving the appeal site would be visible and/or audible to people using the pavement and, given the limited size of the front garden, vehicles would be moving slowly.
8. For these reasons I am satisfied that the proposal would not have an unacceptable effect on highway safety and is therefore compatible with the aims of *Manual for Street 2*.

Conclusion

9. For the reasons set out under the first main issue, and having regard to all other matters raised, I conclude that the appeal should fail.

S Poole

INSPECTOR